

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TEVA PHARMACEUTICALS USA, INC.,)	
TEVA PHARMACEUTICAL INDUSTRIES LTD.,)	
and NOVOPHARM, LTD.,)	
)	C.A. No. 02-1512 (SLR)
Counterclaim Plaintiffs,)	
v.)	CONSOLIDATED
)	
ABBOTT LABORATORIES,)	
FOURNIER INDUSTRIE ET SANTÉ, and)	
LABORATOIRES FOURNIER S.A.,)	
)	
Counterclaim Defendants.)	
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IMPAX LABORATORIES, INC.,)	
)	
Counterclaim Plaintiff,)	
v.)	C.A. No. 03-120 (SLR)
)	
ABBOTT LABORATORIES,)	CONSOLIDATED
FOURNIER INDUSTRIE ET SANTÉ, and)	
LABORATOIRES FOURNIER S.A.,)	
)	
Counterclaim Defendants.)	
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IN RE TRICOR DIRECT PURCHASER)	
ANTITRUST LITIGATION)	C.A. No. 05-340 (SLR)
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)	CONSOLIDATED
THIS DOCUMENT RELATES TO:)	
ALL ACTIONS)	
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IN RE TRICOR INDIRECT PURCHASER)	
ANTITRUST LITIGATION)	C.A. No. 05-360 (SLR)
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)	CONSOLIDATED
THIS DOCUMENT RELATES TO:)	
ALL ACTIONS)	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON THE CLAIMS
OF "SHAM LITIGATION" AND WALKER PROCESS VIOLATIONS**

Abbott and Fournier hereby move for summary judgment in their favor pursuant to Fed. R. Civ. P. 56 on the claims of “sham litigation” and *Walker Process* violations. The grounds for this motion are set forth in defendants’ opening brief being filed herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Mary B. Graham

Mary B. Graham (#2256)
James W. Parrett, Jr. (#4292)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
mgraham@mnat.com
jparrett@mnat.com

RICHARDS, LAYTON & FINGER, P.A.

/s/ Frederick L. Cottrell, III

Frederick L. Cottrell, III (#2555)
Anne Shea Gaza (#4093)
One Rodney Square
P.O. Box 551
Wilmington, DE 19899
(302) 651-7700
cottrell@rlf.com
gaza@rlf.com

OF COUNSEL:

William F. Cavanaugh, Jr.
Thomas W. Pippert
Chad J. Peterman
Alexis Deise
PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
(212) 336-2000

Attorneys for Defendant Abbott Laboratories

OF COUNSEL:

William Baer
James Cooper
Anne P. Davis
ARNOLD & PORTER LLP
555 12th Street, N.W.
Washington, DC 20004
(202) 942-5000

Timothy C. Bickham
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036-1795
(202) 429-5517

*Attorneys for Fournier Industrie Et Santé and
Laboratoires Fournier, S.A.*

Dated: May 5, 2008
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